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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,582	06/15/2000	Richard L. Kaylor	10992361-1	9981

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EXAMINER

PHAN, RAYMOND NGAN

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/595,582

Applicant(s)

KAYLOR, RICHARD L.

Examiner

Raymond Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9,11,12 and 14-19 is/are rejected.
- 7) ☒ Claim(s) 10 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on November 19, 2003
2. This application has been examined. Claims 1-2, 4-9, 10-12, 14-20 are pending.

Specification

3. The title of the invention is accepted.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 4, 6-9, 11-12, 14, 16-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono in view of Hanada (US No. 6,000,864).

In regard to claims 1, 11, Ono discloses a method comprising the step of maintaining printing device control information in a host computer having a wireless communication interface 25 (see figure 2, col. 3, lines 13-41); and selectively transmitting the printing device control information to at least printing device (see col. 4, lines 5-65). But Ono does not specifically disclose the wireless communication device. However Hanada discloses the digital still camera having the infrared communication control portion to communicate with the wireless printer (see col. 5, lines 2-43). Therefore, it would have been obvious to a person

of an ordinary skill in the art at the time the invention was made to have combined the teachings of Hanada into the teachings of Ono because it would provide a portable and convenient interface in wireless environment.

In regard to claims 2, 12, Ono discloses further comprising the step of causing the peripheral device to operatively respond to the peripheral device control information (see col. 4, lines 5-65).

In regard to claims 4, 14, Ono discloses configuration includes a unique network device address (i.e. printer ID) (see col. 3, lines 57-62).

In regard to claims 6, 16, Ono explicitly discloses wherein transferring the peripheral device control information to the peripheral device further includes at least a portion of the peripheral device control information over a communication link configured to carry at least one signal selected from radio frequency or infrared (see col. 2, lines 57-65).

In regard to claims 7, 17, Ono discloses wherein the communication link is further configured to provide bi-directional communication between the host device and the printing device (see col. 4, lines 5-65).

In regard to claims 8, 18, Ono discloses wherein maintaining the peripheral device control information in the portable device further includes receiving the peripheral device control information through the user interface portion of the host device (see col. 4, lines 5-65).

In regard to claims 9, 19, Ono discloses wherein the user interface portion of the host device includes a display and a keypad (see figure 1A).

6. Claims 5, 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono in view of Hanada and further in view of Srinivasan (US NO. 5,237,663).

In regard to claims 5, 15, Ono and Hanada disclose the claimed subjected matter as discussed above rejection except the teaching of wherein the portable communication is PDA (i.e. handheld computing device. However Srinivasan discloses wherein the portable communication is PDA (i.e. handheld computing device (see col. 2, lines 2-6). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Srinivasan into the teachings of Ono and Hanada because it would provide power saving in wireless communication.

Allowable Subject Matter

7. Claims 10 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is an Examiner's statement of reasons for the indication of allowable subject matter: Claims 10 and 20 are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior arts which teach wherein maintaining the printing device control information in the wireless communication device further includes receiving the printing device control information from a computer operatively coupled to the wireless communication device.

Response to Amendment

9. Applicant's arguments with respect to claims 1 and 11 have been considered but claims 1-2, 4-12, 14-20 are deemed to be moot in view of the new grounds of rejection.

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10. Applicant's arguments, see pages 7-10, filed November 19, 2003, with respect to the rejection(s) of claim(s) 1-2, 4-12, 14-20 under 103 rejection have been fully considered and are persuasive. Therefore, the Final Rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Ono and Hanada.

Conclusion

11. Claims 1-2, 4-9, 11-12, 14-19 are rejected. Claims 10 and 20 are objected.

12. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

Ito et al. (US No. 6,529,522) disclose a communication apparatus with digital interface.

Matsui et al. (US No. 6,167,514) disclose a method, apparatus, system and information storage medium for wireless communication.

Cromer (US No. 6,493,104) discloses a data processing system and method for permitting a computer to automatically detect a presence of and establish communications link with a printer.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet

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Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read 'Raymond Phan', with a long, sweeping horizontal stroke extending to the right.

Raymond Phan

11/19/03